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22 UNITED STATES DISTRICT COURT  
23  
24 NORTHERN DISTRICT OF CALIFORNIA  
25  
26 SAN FRANCISCO DIVISION

27 GOOGLE LLC,

28 Plaintiff,

vs.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA  
Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN  
SUPPORT OF SONOS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED (DKT. NO. 421)**

1 I, Jocelyn Ma, declare and state as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to  
 3 practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing  
 4 Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this  
 5 Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to  
 7 Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No.  
 8 421) filed in connection with Google LLC’s (“Google”) and Sonos’s Supplemental Joint Discovery  
 9 Letter Brief (“Supplemental Joint Discovery Letter Brief”) (Dkt. No. 420). If called as a witness, I  
 10 could and would testify competently to the information contained herein.

11 3. Google seeks an order sealing the materials as listed below:

12 <b>Document</b>	13 <b>Portions Sonos Sought to Be Filed Under Seal</b>	14 <b>Portions Google Seeks to Be Filed Under Seal</b>	15 <b>Designating Party</b>
16 Supplemental Joint Discovery 17 Letter Brief	18 Entire 19 Document	20 Portions outlined in 21 red boxes	22 Google
23 Exhibit 1 to Supplemental 24 Joint Discovery Letter Brief 25 (“Exhibit 1”)	26 Entire 27 Document	28 Portions outlined in 29 red boxes	30 Google

31 4. I understand that the Court analyzes sealing requests in connection with discovery  
 32 motions pursuant to a “good cause” standard. *See Intel Corp. v. Tela Innovations, Inc.*, No. 3:18-CV-  
 33 02848-WHO, 2018 WL 4501146, at \*3 (N.D. Cal. Sept. 18, 2018). I also understand that good cause  
 34 to seal is shown when a party seeks to seal materials that “contain[ ] confidential information about  
 35 the operation of [the party’s] products and that public disclosure could harm [the party] by disclosing  
 36 confidential technical information.” *Digital Reg. of Texas, LLC v. Adobe Sys., Inc.*, No. C 12-1971  
 37 CW, 2014 WL 6986068, at \*1 (N.D. Cal. Dec. 10, 2014). I further understand that courts have found  
 38 it appropriate to seal documents that contain “business information that might harm a litigant’s  
 39 competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 589-99 (1978).

1       5.     The portions of the Supplemental Joint Discovery Letter Brief outlined in red boxes  
 2 contain references to Google's confidential business information and trade secrets, including details  
 3 regarding source code, architecture, and technical operation of Google's products. The specifics of  
 4 how these functionalities operate is confidential information that Google does not share publicly.  
 5 Thus, I understand that the public disclosure of such information could lead to competitive harm to  
 6 Google, as competitors could use these details regarding the architecture and functionality of Google's  
 7 products to gain a competitive advantage in the marketplace with respect to their competing products.  
 8 Google has therefore designated this information as **HIGHLY CONFIDENTIAL—ATTORNEYS'**  
 9 **EYES ONLY** and/or **HIGHLY CONFIDENTIAL—SOURCE CODE** under the protective order (Dkt.  
 10 No. 92). Although Sonos's Administrative Motion sought to seal the entirety of the Supplemental  
 11 Joint Discovery Letter, Google only seeks to file under seal the portions outlined in red boxes. A less  
 12 restrictive alternative than sealing would not be sufficient because the information sought to be sealed  
 13 is Google's confidential business information and trade secrets but has been utilized by the parties in  
 14 support of their supplemental Joint Discovery Letter.

15       6.     The portions of Exhibit 1 outlined in red boxes contain references to and testimony  
 16 regarding Google's confidential business information and trade secrets, including details regarding  
 17 source code, architecture, and technical operation of Google's products. The specifics of how these  
 18 functionalities operate is confidential information that Google does not share publicly. Thus, I  
 19 understand that the public disclosure of such information could lead to competitive harm to Google, as  
 20 competitors could use these details regarding the architecture and functionality of Google's products  
 21 to gain a competitive advantage in the marketplace with respect to their competing products. Google  
 22 has therefore designated this information as **HIGHLY CONFIDENTIAL—ATTORNEYS' EYES**  
 23 **ONLY** and/or **HIGHLY CONFIDENTIAL—SOURCE CODE** under the protective order (Dkt. No.  
 24 92). A less restrictive alternative than sealing would not be sufficient because the information sought  
 25 to be sealed is Google's confidential business information and trade secrets but has been utilized by  
 26 the parties in support of their supplemental Joint Discovery Letter.

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 28

1 I declare under penalty of perjury under the laws of the United States of America that to the  
2 best of my knowledge the foregoing is true and correct. Executed on December 16, 2022, in San  
3 Francisco, California.

4 DATED: December 16, 2022

5 By: */s/ Jocelyn Ma*  
6 Jocelyn Ma

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